

D. CONN. LBR 5010-1(2007)

REOPENING CASES

(a) Reopening Unnecessary. Reopening a case is not necessary where the debtor or a creditor proposes to commence an adversary proceeding to determine the dischargeability of a debt under § 523 of the Code or to enforce rights under §§ 522(f), 524 and 525.

(b) Reopening Necessary. An entity which proposes to request any relief except as provided in paragraph (a) of this rule shall obtain an order reopening the case before requesting such relief or filing such paper.

(c) Motion. A request to reopen a case shall be made by motion. The motion shall be served on the debtor, the United States Trustee and the trustee that served in the case. The court may rule on the motion without a hearing.

(d) Filing Fee.

(1) Payment Required. Unless the fee may be waived or deferred, the movant shall tender a filing fee to the clerk at the time the motion to reopen is filed.

(2) Waiver. The filing fee may be waived where opening is requested in order to correct an administrative error by the court or the clerk.

(3) Deferral. If the movant is the former trustee, the filing fee shall be deferred and shall be paid only from the estate and to the extent there is any value realized by the estate.

D. CONN. LBR 7041-1 (2007)

ACTIONS TO DETERMINE DISCHARGE AND DISCHARGEABILITY.

(a) No adversary proceeding to deny or revoke a discharge shall be withdrawn, dismissed, settled, or otherwise terminated, by agreement or upon motion of a party, except upon the approval of the court after hearing on notice to the trustee, United States trustee, all creditors, and other parties in interest. The notice shall include (i) a short and plain statement of the claims in the adversary proceeding and the relief sought, (ii) all material terms and provisions of the proposed disposition, including the consideration, if any, that has been promised or paid, directly or indirectly, and (iii) a bar date of no less than thirty days from the date of service of the notice prior to which any party in interest may file a motion to continue to prosecute such adversary proceeding. The notice shall be attested to and subscribed by the debtor under oath, and endorsed and subscribed by the debtor's attorney, if any. A copy of the notice shall be attached to the motion, together with a certificate of service.

(b) A proposed disposition, as provided in subsection (a), may be approved by the court upon a determination that the proposal is in the best interest of the estate. No discharge shall be granted unless the notice required by subsection (a) has been filed with the court.

(c) No adversary proceeding to determine the dischargeability of a debt shall be settled except upon the approval of the court after full disclosure of the terms of any agreement entered into between the parties related to the payment of the debt in whole or in part.

D. CONN. LBR 9010-1 (2007)

(a) APPEARANCES

(1) The signature of an attorney for a petitioner on a bankruptcy petition or the signature of an attorney on a complaint or a motion in a bankruptcy case constitutes a notice of appearance pursuant to Fed. R. Bankr. P. 9010 (b), and constitutes a certification that the attorney is authorized to practice in the United States Bankruptcy Court for the District of Connecticut.

(2) An attorney entering a case under the Bankruptcy Code or any matter commenced by a complaint or motion shall first file an appearance with the court and serve the same upon the debtor or the debtor-in-possession, any trustee, any committee or its counsel, the United States Trustee, and if an adversary proceeding, all parties to such proceeding.

(b) SCOPE OF REPRESENTATION BY DEBTOR'S ATTORNEY

(1) This rule shall not apply if (A) the employment of an attorney is subject to court approval pursuant to 11 U.S.C. § 327, or (B) the attorney has been employed by the debtor for a specific limited purpose, other than to prepare and/or file the petition, schedules and/or statements.

(2) An appearance in a bankruptcy case by an attorney on behalf of a debtor who is a natural person shall be deemed to be an appearance by such attorney on behalf of the debtor with respect to all aspects of the bankruptcy case (including contested matters and adversary proceedings) unless the attorney files with the attorney's Fed. R. Bankr. P. 2016(b) disclosure of compensation an affidavit conforming to paragraph (3) below.

(3) The appearance of an attorney for the debtor shall be limited only to the extent set forth in an affidavit averring as follows:

(A) a detailed description of the limitation(s) upon such attorney's representation of the debtor in the bankruptcy case (including any condition that certain services will be performed by the attorney only upon further fee arrangements between such attorney and the debtor or a third party; and

(B) that such attorney has personally explained to the debtor that such limitation(s) may have an adverse effect upon the relief which otherwise might be available to the debtor under the applicable chapter of the Bankruptcy Code (including the automatic stay, discharge, dischargeability, exemptions, lien avoidance, reaffirmation, redemption, and/or plan confirmation), taking into account the facts and circumstances of the case known to such attorney after reasonably diligent inquiry of the debtor; and

(C) that the debtor has agreed in writing to such limitation(s) and a copy of such writing shall be attached to the affidavit.